

October 17, 2005

VIA ECF

Hon. Alexander Williams, Jr.
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, MD 21201

Re: Jeff Schmidt v. American Institute of Physics
Case No.: 8:04-cv-3774 (AW)

Dear Judge Williams:

On June 17, 2005, the parties in the above referenced matter notified the Court that we retained the services of Harold Himmelman, a JAMS mediator, in the hope of settling this dispute. We also requested an extension of the discovery schedule from June 27, 2005 to November 1, 2005. The parties jointly write to request a conference call to discuss the status of the case and any related potential discovery and scheduling issues.

We participated in the aforementioned mediation on July 19 and 20, 2005. At the conclusion of the mediation, the parties reached a settlement in principle and we continue to negotiate the specifics of the Settlement Agreement. We anticipate that we will finalize the Agreement by November 1, 2005.

While we fully expect the parties to settle their dispute, we would like to schedule a conference call to discuss discovery and scheduling issues in the unlikely event that the parties are unable to reach a final settlement.

Please contact me at your convenience if you have any questions.

Respectfully submitted,



Erik T. Koons
Howrey LLP

cc: Wendy J. Mellk, Esq.
Warren Kaplen, Esq.